

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JACOB GAREY,**

**Petitioner,**

**vs.**

**No. 08-CV-412 MCA/ACT**

**ROBERT ULIBARRI, Warden,  
and GARY K. KING, Attorney  
General for the State of New Mexico,**

**Defendants.**

**ORDER**

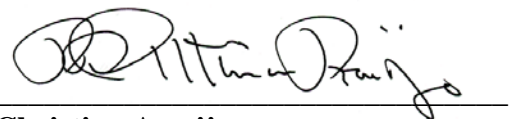
**THIS MATTER** comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition and the Petitioner have filed objections thereto, the Court has made a *de novo* review of the record and finds that the objections are not well-taken and that the Magistrate Judge's Proposed Findings and Recommended Disposition will be adopted by the Court.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. No. 11] is adopted by the Court.

**IT IS FURTHER ORDERED** that the Petitioner's Application for a Writ of Habeas Corpus [Doc. No. 1] is dismissed with prejudice.

**IT IS FURTHER ORDERED** that the Petitioner's Motion to Dismiss [Doc. No. 10] is dismissed with prejudice.

SO ORDERED this 23rd day of October, 2008.



**M. Christina Armijo  
UNITED STATES DISTRICT JUDGE**